



UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

JUANA MONTANO-PÉREZ, et al.

Plaintiffs,

v.

DURRETT CHEESE SALES, INC., et al.

Defendants.

Civ. No. 3:08-cv-1015
JURY DEMAND

Judge Trauger

**PLAINTIFFS' MOTION AND INCORPORATED SUPPORTING MEMORANDUM FOR
LEAVE TO FILE REPLY TO DEFENDANT GREG DURRETT'S RESPONSE IN
OPPOSITION TO ASSESSMENT OF ATTORNEYS' FEES AND COSTS**

On December 9 and 10, 2010, Plaintiffs filed their Motion for Assessment of Attorneys' Fees Against Greg Durrett and Bill of Costs, respectively. (Docs. 177-178, 182). On December 15, 2010, Defendant Greg Durrett filed a Memorandum and Declaration of Counsel in opposition to Plaintiffs' Motion and Costs Bill. (Doc. 187). In accordance with Local Rule 7.01(b), Plaintiffs seek leave of the Court to file a reply memorandum to address Defendant Durrett's arguments in opposition to Plaintiffs' request for attorneys' fees and costs. In his opposition Memorandum, Defendant Durrett takes the position that Plaintiffs waived in settlement any rights to seek statutory attorneys' fees and costs against him. Id. Plaintiffs had been proceeding on the assumption that they retained all such rights, and believe that their Reply will assist the Court in understanding why Plaintiffs believe they did not waive any rights to seek attorneys' fees and costs pursuant to the agreed judgment portion of the parties' settlement agreement. For these reasons, Plaintiffs respectfully request that the Court permit them to file the Reply